

UNITED STATES DISTRICT COURT
for the

Eastern District of North Carolina

United States of America
v.
FRANCISCO AGUSTO BRYAN

Date of Original Judgment: 06/12/1995

Date of Previous Amended Judgment: 09/29/1995

(Use Date of Last Amended Judgment if Any)

Case No: 5:94-CR-68-1F

USM No: 15150-056

Cindy Popkin-Bradley

Defendant's Attorney

ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months **is reduced to** _____

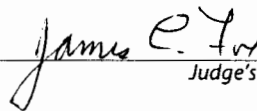
The court has considered the danger to the community that may be posed by a reduction in the defendant's term of imprisonment, pursuant to 1B1.10, Application Note 1(B)(ii), and finds that based on the defendant's conduct in prison, a further reduction is not warranted in this case.

If the amount of time the defendant has already served exceeds this sentence, the sentence is reduced to a "Time Served" sentence, subject to an additional period of up to ten (10) days for administrative purposes of releasing the defendant.

(Complete Parts I and II of Page 2 when motion is granted)

Except as otherwise provided, all provisions of the judgment(s) dated June 12, 1995, and September 29, 2009 shall remain in effect. **IT IS SO ORDERED.**

Order Date: 6/21/13

Effective Date: _____
(if different from order date)

Judge's signature

James C. Fox, Senior U.S. District Judge

Printed name and title